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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q63028

Tomoaki YOSHIDA, et al.

Appln. No.: 10/049,188

Group Art Unit: 1745

Confirmation No.: 8127

Examiner: Gregg CANTELMO

Filed: February 08, 2002

For: CATALYST COMPOSITION FOR CELL, GAS DIFFUSION LAYER, AND FUEL
CELL COMPRISING THE SAME

RESPONSE UNDER 37 C.F.R. § 1.111

MAIL STOP NON-FEE AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action of January 26, 2004, applicants hereby elect Group I, Claims 1-27 and 29-30, drawn to a catalyst layer or gas diffusion layer, for prosecution on the merits:

In addition, in response to the election of species requirement, applicants hereby elect Species II to a gas diffusion layer.

Applicants note that although the Examiner states that Species II is claimed in Claims 1-15, 17-27 and 29-30, applicants point out that Species II is directed to a gas diffusion layer and is claimed in claims 1, 17 to 27, 29 and 30. Claims 2 to 15 do not recite a gas diffusion layer.

MAR 01 2004

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: February 26, 2004